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16 **UNITED STATES DISTRICT COURT FOR THE
17 NORTHERN DISTRICT OF CALIFORNIA**

18 REGENTS OF UNIVERSITY OF
19 CALIFORNIA and JANET NAPOLITANO,
20 in her official capacity as President of the
University of California,

21 Plaintiffs,

22 v.

23 UNITED STATES DEPARTMENT OF
24 HOMELAND SECURITY and KIRSTJEN
25 M. NIELSEN, in her official capacity as the
Secretary of Homeland Security,

26 Defendants.

27 No. 3:17-cv-05211-WHA

28 **NOTICE OF APPEAL**

Judge: Honorable William Alsup

NOTICE OF APPEAL

All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)

1
2 STATE OF CALIFORNIA, STATE OF
3 MAINE, STATE OF MARYLAND, and
STATE OF MINNESOTA,

4 Plaintiffs,

5 v.
6 U.S. DEPARTMENT OF HOMELAND
7 SECURITY, KIRSTJEN M. NIELSEN, in her
8 official capacity as Secretary of Homeland
Security, and the UNITED STATES OF
AMERICA,

9 Defendants.

No. 3:17-cv-05235-WHA

11
12 CITY OF SAN JOSE, a municipal
corporation,

14 Plaintiff,

15 v.
16 DONALD J. TRUMP, President of the United
17 States, in his official capacity, KIRSTJEN M.
NIELSEN, in her official capacity as
Secretary of Homeland Security, and the
18 UNITED STATES OF AMERICA,

19 Defendants.

No. 3:17-cv-05329-WHA

21
22 DULCE GARCIA, MIRIAM GONZALEZ
AVILA, SAUL JIMENEZ SUAREZ,
VIRIDIANA CHABOLLA MENDOZA,
24 NORMA RAMIREZ, and JIRAYUT
LATTHIVONGSKORN,

26 Plaintiffs,

27 v.
28 UNITED STATES OF AMERICA,
DONALD J. TRUMP, in his official capacity

No. 3:17-cv-05380-WHA

NOTICE OF APPEAL

All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)

1 as President of the United States, U.S.
2 DEPARTMENT OF HOMELAND
3 SECURITY, and KIRSTJEN M. NIELSEN,
4 in her official capacity as Secretary of
5 Homeland Security,

6 Defendants.

7 COUNTY OF SANTA CLARA and
8 SERVICE EMPLOYEES INTERNATIONAL
9 UNION LOCAL 521,

10 Plaintiffs,

11 v.

12 DONALD J. TRUMP, President of the United
13 States, in his official capacity; JEFFERSON
14 BEAUREGARD SESSIONS, Attorney
15 General of the United States, in his official
capacity; KIRSTJEN M. NIELSEN, Secretary
of Homeland Security, in her official capacity;
and the U.S. DEPARTMENT OF
16 HOMELAND SECURITY,

17 Defendants.

18 No. 3:17-cv-05813-WHA

NOTICE OF APPEAL

PLEASE TAKE NOTICE that all Defendants in the above-captioned matters hereby appeal to the United States Court of Appeals for the Ninth Circuit from this Court's January 9, 2018 Order Denying FRCP 12(b)(1) Dismissal and Granting Provisional Relief¹ and this Court's January 12, 2018 Order Granting in Part Defendants' Motion to Dismiss Under FRCP 12(b)(6).² Those Orders are docketed in each of these five cases as follows:

- *Regents of the University of California, et al. v. United States Department of Homeland Security, et al.*, No. 3:17-cv-05211-WHA, ECF Nos. 234, 239.
- *State of California, et al. v. U.S. Department of Homeland Security, et al.*, No. 3:17-cv-05235-WHA, ECF Nos. 83, 88.
- *City of San Jose v. Donald J. Trump, et al.*, No. 3:17-cv-05329-WHA, ECF Nos. 66, 71.
- *Dulce Garcia, et al. v. United States of America, et al.*, No. 3:17-cv-05380-WHA, ECF Nos. 60, 65.
- *County of Santa Clara, et al. v. Donald J. Trump, et al.*, No. 3:17-cv-05813-WHA, ECF Nos. 48, 53.

This appeal includes all prior orders and decisions that merge into the Court's January 9, 2018 and January 12, 2018 Orders.

¹ While the January 9, 2018 Order is immediately appealable to the extent it grants provisional relief, all Defendants are also appealing the Order to the extent it denies Defendants' motion to dismiss. That aspect of the appeal is being taken pursuant to 28 U.S.C. § 1292(b).

² The January 12, 2018 Order is being appealed pursuant to 28 U.S.C. § 1292(b).

NOTICE OF APPEAL
All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)

1 Dated: January 16, 2018

Respectfully submitted,

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NOTICE OF APPEAL
All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)